

U.S. Patent Application No. 09/739,933  
Exhibit 3

Atty Dkt. No.: UCAL263CIP  
USPN: 09/739,933  
Exhibit 3

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.		
Typed or Printed Name		
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<p align="center"><b>DECLARATION OF JAMES FALLON UNDER 37 C.F.R. § 1.131</b></p> <p>Address to: Assistant Commissioner for Patents Washington, D.C. 20231</p>	Attorney Docket Confirmation No.	UCAL263 3865
	First Named Inventor	J.S. Reid
	Application Number	09/129,028
	Filing Date	August 4, 1998
	Group Art Unit	1647
	Examiner Name	S. Turner
	Title	Methods for treating neurological deficits

Dear Sir:

1. I, James Fallon, declare and say I am a co-inventor of the claims of the above-identified patent application.

2. I understand that claims 1-7, 16, and 33 were rejected as anticipated by Alexi et al. ((May 1997) *Neuroscience* 78:73-86; "Alexi").

3. As evidenced in paragraph 4, below, the invention as claimed was conceived and reduced to practice prior to May, 1997, i.e., prior to the effective date of Alexi.

4. The claimed invention of a method of attracting a glial progenitor cell, or a progeny of a glial progenitor cell, to a site of central nervous system lesion or damage, involving administering

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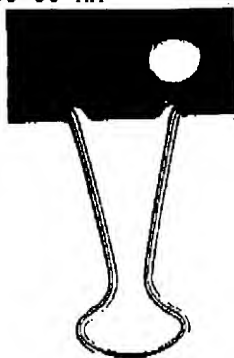
a compound that binds to an epidermal growth factor receptor, was conceived and reduced to practice before May 1997. The claimed invention is described in the doctoral thesis of Steven James Reid, which was deposited with the Office of Graduate Studies of the University of California at Irvine in March, 1997. A copy of Steven James Reid's thesis is provided herewith as Exhibit 4.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such will false statements may jeopardize the validity of the application or any patent issuing thereon.

11/20/02  
Date

  
James Fallon

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Exhibit 4

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IRVINE, CALIFORNIA 92717-3130REPORT ON FINAL EXAMINATION FOR  
THE DEGREE OF DOCTOR OF PHILOSOPHY  
P.D. FORM II

University of California, Irvine

DEPARTMENT

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REID JAMES STEVEN

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Permanent Address

City State Zip Code  
IRVINELanguage NONE

Date Passed \_\_\_\_\_

Language NONE

Date Passed \_\_\_\_\_

Title of Dissertation: TRANSFORMING GROWTH FACTOR ALPHA IN THE NERVOUS SYSTEM AND ITS ROLE IN REGENERATION OF THE ADULT MAMMALIAN FOREBRAIN

The doctoral committee is pleased to report upon the candidate's final examination with the recommendation that the degree of Doctor of Philosophy be conferred upon submission of the approved doctoral dissertation.

Date of Defense: MARCH 11, 1997

GRADUATE STUDIES

MAR 17 1997

Name (please print)

Signature

JAMES H. FAUCONROLAND A. GIOLLIJOHN F. MARSHALLJames H. Faucon  
Roland A. Giolli  
John F. Marshall☒ Yes ☐ No☒ Yes ☐ No☒ Yes ☐ No

OFFICE OF GRADUATE STUDIES

Requirements fulfilled:

☐ Language☐ Date Advanced to Candidacy February 13, 1996☒ Residency☒ Dissertation ApprovedThe candidate has satisfied all of the requirements for the Doctor of Philosophy in Biological Sciences

It is recommended that the degree be conferred as of \_\_\_\_\_

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University of California, Irvine  
Office of Research and Graduate Studies  
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(Please type and prepare in duplicate)

NAME: MR. REID JAMES STEVEN  
Last First Middle

PERMANENT  
ADDRESS:

Number and Street City State Zip Code

Ph.D.

Degree Objective  
(e.g. MA, MS, MFA, Ed.D., PhD)

WTR 97

Quarter and Year

Biological Sciences

Degree Program

James Valley

Commonwealth College

TITLE OF DISSERTATION/THESIS: Please CAPITALIZE the title and indicate italics by underlining.

TRANSFORMING GROWTH FACTOR ALPHA IN THE HYPOTHALAMIC SYSTEM AND ITS ROLE IN REGENERATION  
OF THE ADULT MAMMALIAN FOREBRAIN

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Dean of Graduate Studies

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